

**Lewis & Clark County FSA**  
**790 Colleen Street**  
**Helena, MT 59601**

**County Committee Members**

Carol Troy  
Gary Dobler  
Phil Wirth

**FSA Office Personnel**

Tamie Hahn, Acting CED  
Kathy Peters, Program Technician  
Megan Obert, Program Technician  
Lynn "Fred" Smith, Farm Loan  
Manager  
Hal Plummer, Field Person

**Dates to Remember:**

**May 31** – Final loan/LDP availability date for Corn, Dry peas, Grain sorghum, Lentils, Mustard seed, Safflower seed, Small chickpeas, Soybeans, and Sunflower seed harvested in 2006

**June 15** – Nominations Open for COC election

**Notice of Loss** – 15 calendar days following disaster

**July 16** – Acreage report deadline

**August 1** – Deadline for reconstitutions

**August 3** – Signature deadline on 2007 Direct and Counter-cyclical Program (DCP)

**September 24-27** – Tribal Outreach Forum, Gran Tree, Bozeman

**September 28** – Final date for late filed 2007 DCP contracts

**October 2 & 3** – Women Stepping Forward for Agriculture Symposium, Dillon



# Lewis & Clark County

## May 2007

**Responsibilities for CRP Contract Holders**

CRP contract holders have certain responsibilities for carrying out the terms and conditions of the CRP contract. Those include, but are not limited to:

- ✓ Control all weeds, insects, pests and other undesirable species to the extent necessary to ensure that the establishment and maintenance of the approved cover is adequately protected and there is no adverse impact on surrounding land.
- ✓ Establish and maintain the required vegetative or water cover and other required practices.
- ✓ No activity may be conducted on CRP acres without authorization.
- ✓ Prior approval must be received from FSA before any harvesting, grazing or other commercial use of the forage may begin.
- ✓ If land with a CRP contract is sold, the new owners should notify the local county FSA office if they want to continue the contract.

If the land is sold and the new owner does not wish to continue the CRP contract, you will be required to repay all payments received on the contract plus interest and liquidated damages. Liquidated damages are equal to 25 percent of the annual rental payment on those acres not contracted by the new owner.

**NOTE: There are two primary nesting Dates**

**May 15 – July 15** *FSA State Committee established Primary Nesting Season for CRP*

**May 15 – August 1** *Primary Nesting Season for CRP contracts affected by the National Wildlife Federations settlement agreement with FSA*

Check the Conservation Plan of Operations (CPO) for the primary nesting dates that apply to your CRP contract

## LOAN and LDP Violations

**Incorrect Certification** is either of the following:

- ❖ Certifying a quantity in excess of the quantity eligible for loan or LDP
- ❖ Making any fraudulent representation with respect to obtaining loans or LDPs.

**Unauthorized Removal** is the movement of any farm-stored loan quantity from the storage structure where the commodity was stored or structures that were designated when the loan was approved to any other storage structure whether or not the structure is located on the producer's farm without prior written authorization from the COC. Unauthorized removal is considered a violation if the producer does not maintain control of the commodity or CCC loses first lien on the collateral.

**Unauthorized Disposition** is the conversion of any loan quantity pledged as collateral for a farm-stored loan without prior written authorization from the COC.

**Consequences of Loan and LDP Violations** may be:

- ❖ Assessment of liquidated damages and other administrative actions, and shall be liable for monetary amounts as specified in the applicable regulations and terms and conditions of the applicable forms.
- ❖ Criminal prosecution under Federal Law.

## Farm Reconstitution

A completed farm reconstitution to divide or combine farms will result in the termination of the Direct & Counter Cyclical Program (DCP) contract. The farm producers may enroll the base acres for a crop year by signing a new DCP (CCC-509) for the resulting farm (s). This must be done by August 3 or 30 days after written notification that the farm reconstitution has been completed. If a CCC-509 is signed between August 3 and September 28, a \$100 user fee will be assessed. The fee is waived if the reconstitution is requested by August 1 and all signatures are obtained within 30 days following the written notification. The failure to timely enroll the base acres may result in loss of payments.

## Mixed Grain/Hay Loan LDP Eligibility

USDA does not establish loan rates for mixed commodities. A mixed commodity harvested as grain that does not meet grading standards is not eligible for a loan or Loan Deficiency Payment (LDP). A mixed commodity that is hayed or harvested as silage is not eligible for an LDP.

Eligibility for Grain/Oilseeds/Pulse Crops Harvested as **Grain** – If a mixed commodity is harvested as grain and a farm-stored loan or LDP is applied for, a sample of the harvested crop must be taken to a licensed Federal Grain Inspection Service (FGIS) laboratory for grading, at the producer's expense. Loan or LDP eligibility will be determined based on the results of the sample.

Eligibility for Grain/Oilseeds/Pulse Crops Harvested as **Other Than Grain** – If the mixed commodity is harvested as hay or silage, there is no test to determine the percentage of each commodity in the mixture to establish the grade and class. Therefore, crops planted in a mixture and hayed or harvested for silage are not eligible for an LDP.

A commodity planted as a nurse crop with alfalfa may be eligible for an LDP if a full seeding is planted and the commodity is reported as the intended use for grain or forage. The County Committee may require documentation to support the seeding rate.

## 2007 Final Year of DCP Program Under 2002 Farm Bill

The sign-up deadline for the 2007 Direct and Counter-cyclical Program has been extended from June 1 to August 3, 2007. The extension applies only to the enrollment time frame and does not extend the annual DCP contract period beyond September 28, 2007. A late-file fee of \$100 will be assessed for farms that are enrolled after August 3, 2007 but no later than September 28, 2007. Applications filed after September 28, 2007 cannot be approved.

We encourage you to sign up early to avoid the \$100 late file fee. The county office is mailing out appointment cards for 2007 acreage reporting and we are preparing the contracts at that time. If you do not receive an appointment letter and would like to enroll your farm, please contact our office.

## COC Election Approaching

Beginning **June 15, 2007**, nominations are being accepted for candidates for County Committee (COC) positions.

A county or area served by the COC is divided into local administrative areas (LAA). Each LAA is represented by one member on the county committee. Only one LAA holds an election each year. This year the LAA open in Lewis & Clark County is currently held by Phil Wirth, which is located in the middle of the county that includes the Canyon Creek, Wolf Creek areas.

The nominee must sign the nomination form in order to be nominated as a COC member.

Nomination forms are also available at the county office or by logging on to the Montana FSA website at: <http://www.fsa.usda.gov/mt>.

Please remember that as a county committee member you are the local voice of how FSA programs are administered to meet your local community and resource needs.

Nomination forms must be submitted to the FSA county office by **August 1, 2007**. Ballots will be sent to eligible voters beginning November 2, 2007. The final day for voters to submit their voted ballots is December 3, 2007.

## Measurement Service Charges

On-farm measurement is charged at:

- Basic farm fee of \$30.00;
- Plus an hourly rate of \$16.00 for the first hour and \$8.00 for each additional ½ hour after the first hour. The minimum is 1 hour.

The hourly rate includes the time to travel from the FSA county office to the farm, complete the measurement service and return to the county office.

An "Initial Fee" is required at the time the measurement service is requested and the fee must be collected before the measurement service is performed. The initial fee will be the basic rate plus the hourly minimum. Once the service has been completed the actual fee will be calculated. The initial fee will be subtracted from the calculated fee and a letter will be sent informing you of the additional amount owed. If the amount is \$9.99 or less then an additional fee is not required.

## Measurement Service Charges (cont.)

In-office measurements are charged at:

- a basic farm rate of \$15.00 plus a 30-minute minimum rate of \$8.00.

Bin site measurements will be calculated according to the farm number and the physical location of the bins:

- for one farm with multiple bin sites, only one FSA-409 (a written request to have acreage measured by FSA) is required;
- for multiple farms and all the grain is stored in bins at one site, only one FSA-409 is required where the bin site is physically located;
- for multiple farms with a different bin site for each farm, a separate FSA-409 is required for each farm and bin site.

## 2007 Acreage Reports

All acreage reports need to be accurate and filed by the final reporting date of **July 16, 2007**. Certification is mandatory if any of the following apply:

- ◆ You receive DCP payments
- ◆ You have acres enrolled in CRP
- ◆ Loans or LDP's will be requested; including Wool, Mohair and Honey  
*(All cropland on the farm must be certified to be eligible for DCP and loan program benefits).*
- ◆ Acreage is covered by NAP

Failure to report accurately may result in loss of program and price support benefits. The county office is mailing out appointment cards for 2007 acreage reporting. We are preparing the 2007 DCP contracts and updating your eligibility if necessary at that time. If you do not receive an appointment letter, and have not already visited the office to complete these items and would like to report your acres and/or enroll in the DCP program please contact our office.

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#### **Important Dates to Remember**

**May 31 – Final loan availability date for various crops  
June 15 – COC nominations open  
Notice of Loss – 15 calendar days following disaster  
July 16 – Acreage report deadline  
August 1 – Reconstitution Deadline**

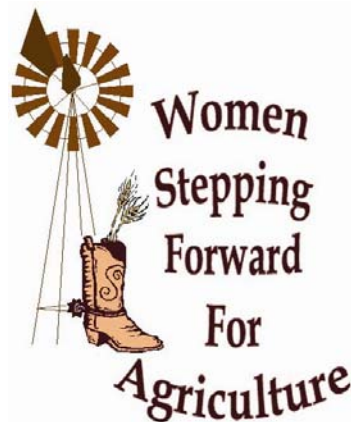
#### **Women Stepping Forward for Agriculture Symposium**

Mark your calendars for the annual Women Stepping Forward for Agriculture Symposium to be held October 2 & 3, 2007 at the Beaverhead Golf Course in Dillon, Montana.

A great slate of topics will be discussed such as water rights and the adjudication process; MT Challenge; Biosecurity at the Ranch; Natural Beef and Carbon Sequestration just to name some of the topics and presentations that will be covered during the two day event.

The symposium will begin at 8:00 a.m. on October 2 with registration and end on October 3 at 3:00 p.m.

Continue to watch the newsletter for further details.



Linda Huth has retired as the County Executive Director for Lewis & Clark and Broadwater counties after 30 years of service. The staff would like to thank her for her leadership and dedication to the producers of both counties for so many years. We wish her good luck as she enters the next phase of her life.